

## REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

### **Status of Claims:**

No claims are currently being added, amended or canceled.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1-24 remain pending in this application.

### **Claim Rejections – Prior Art:**

In the Office Action, claims 1, 2, 5, 12, 13 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,415,153 to Liew in view of U.S. Patent No. 6,330,462 to Chen; claims 3, 4, 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liew in view of Chen and further in view of Japanese patent JP 6046033; claims 9 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liew in view of Chen and further in view of U.S. Patent No. 6,510,147 to Sun; and claims 10 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liew in view of Chen and further in view of U.S. Patent Publication No. 2003/0086478 to Lee et al. These rejections are traversed for at least the reasons given below.

In its rejection of claim 1, the Office Action correctly recognizes that Liew does not show the steps of controlling the bandwidth of a counterpart equipment depending upon the communication quality; however, the Office Action incorrectly asserts that column 8, lines 41-53 of Chen discloses these features.

Rather, column 8, lines 41-53 of Chen describes a system in which a mobile station transmits power control messages to a base station, whereby the power control messages reflect the measured power level of signals received by the receiving system. Chen further describes that the power control messages can have a large or a small bandwidth, as seen in Figures 4 and 5 of that reference. This merely means that the power control messages output by the mobile station may be output at a fast rate (as in Figure 4) or at a slow rate (as in Figure 5), whereby this has nothing at all to do with controlling a transmission bandwidth of a

counterpart equipment. In fact, it appears that the rate by which the mobile station outputs the power control messages has nothing at all to do with a communication quality, but rather is based on a current setting of the mobile station.

As stated in the Abstract of Chen, it is the rate at which data is to be output by a transmitter that determines the rate (slow or fast) of a power control feedback, whereby a communication quality is not utilized in any determination as to a transmission bandwidth for a counterpart equipment.

Accordingly, the combination of Liew and Chen merely teaches the controlling of a transmission bandwidth of a counterpart equipment, based in part on power control messages that are output by a counterpart equipment at a particular rate. No control of a transmission bandwidth based upon communication quality is taught or suggested by the combination of Liew and Chen; rather, only a transmission power is controlled based upon power control messages received periodically.

Since none of the other cited art of record rectifies the above-mentioned shortcomings of Liew and Chen, each of the presently pending claims under rejection is believed to patentably distinguish over the cited art of record.

**Conclusion:**

Accordingly, since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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